

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 4:06CR3062 |
| |) | |
| ROBERT BERLIE, |) | |
| |) | |
| Defendants. |) | ORDER |
| |) | |

The defendant has filed a motion to reopen detention hearing, filing 52, and has attached a copy of the defendant's Substance Abuse Evaluation. Pursuant to NECrimR 49.3(d), "[i]n criminal cases, medical, mental health, and drug rehabilitation records and evaluations, even if offered in support of an unsealed motion, shall be filed under seal." While counsel for the defendant is ultimately responsible for assuring that such records are filed under seal, the court shall in this case order the clerk to remove the Substance Abuse Evaluation from the public docket and re-file it under seal.

IT IS ORDERED:

1. The clerk shall remove the Substance Abuse Evaluation attached to filing 52 from the public docket and re-file it under seal.
2. Counsel for the defendant is ordered to review the filing requirements of NECrimR 49.3 of this court's local rules.

DATED this 26th day of June, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge